

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

JAMAR BROWN,

Petitioner,

v.

Civil Action No. **3:20CV246**

**UNITED STATES OF AMERICA, WARDEN
QUINTANA,**

Respondent.

MEMORANDUM OPINION

Jamar Brown, a federal inmate proceeding *pro se*, submitted this 28 U.S.C. § 2241 Petition. In his § 2241 Petition, Brown seeks release to a halfway house under the Second Chance Act of 2007, which amended 28 U.S.C. § 3624. (ECF No. 1, at 1.) Brown is currently incarcerated in Lexington FMC, in Lexington, Kentucky. (*Id.* at 1.) “Whenever a § 2241 habeas petitioner seeks to challenge his present physical custody within the United States, he should name his warden as respondent and *file the petition in the district of confinement.*” *Rumsfeld v. Padilla*, 542 U.S. 426, 447 (2004) (emphasis added); see *United States v. Broadway*, No. 3:08–cr–00010–MR–2, 2018 WL 5817939, at *1 (W.D.N.C. Nov. 6, 2018) (“[A] defendant may challenge the BOP’s actions under the Second Chance Act only by filing the appropriate pleading in the district court located in the district of confinement, not the sentencing court.” (citations omitted)). Brown is also warned that prior to seeking relief under the Second Chance Act, he must exhaust all administrative remedies through the Bureau of Prisons.

Accordingly, the action will be DISMISSED WITHOUT PREJUDICE. Brown remains free to refile the action in the district of his confinement.

An appropriate Order shall accompany this Memorandum Opinion.

Date: *May 1, 2020*
Richmond, Virginia



M. Hannah Lauck
United States District Judge